

P3,B11

From: Windward Ahupua`a Alliance [mailto:info@waa-hawaii.org]
Sent: Monday, August 13, 2012 3:16 PM
Subject: Bill 11 CD1 Veto Override

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Aloha **Councilmembers** Berg, Martin, Anderson, Chang, Kobayashi, Gabbard, ~~Council~~ ^{CITY CLERK} Harimoto, and Garcia:
HONOLULU, HAWAII

Over the past several months I've communicated with members of the *Honolulu City Council* both in public as well in writing & f-2-f meetings about my legal, economic & social justice concerns with respect to **Bill 11 CD1**.

I've also been working with small business owners & residents in several different communities all over O`ahu about the rolling impacts that this bill along with **Bill 5/Ordinance 12- 02** will have well beyond Kailua.

In particular, Bob Twogood, who owns *TWOGOOD KAYAKS* in Kailua and employs 12 to 18 people throughout the year, has requested that a working group made up of representatives from impacted businesses, concerned residents from all nine *Council* districts, the *Department of Parks & Recreation* as well as the *Corporation Counsel's Office*, the *City Council's Parks & Cultural Affairs Committee*. and three state departments - the *Department of Health's Environmental Health Division*, the *Department of Land and Natural Resources*, and the *Coastal Zone Management Program* in the *State Office of Planning* be established to draft a proposed set of permits for commercial activities in all city parks along by the end of 2012. Others from the *Departments of Planning & Permitting*, *Facilities Maintenance*, and *Design & Construction* could also be included.

However, it seems that there is a concern amongst some people that it will take several years to get these permits on the books so it would be better to pass **Bill 11 CD 1** and rigorously enforce both it and **Bill 5/Ordinance 12-02** to address the complex issues which have been raised. A number of experts have stated that this is not a given.

Although several councilmembers who either voted **Yes with Reservations** or **Yes** on **Bill 11 CD1** have agreed that the bill has profound unintended impacts, they've been forthright about overriding the **Mayor's** veto because they're concerned that a **NO vote** will negatively impact their working relationship with its author.

That I can understand because the issue as it has evolved over the past several months has also impacted my personal, professional and - yes - political relationships with several elected officials. These officials feel that the only way to handle the complex issues is to make ALL commercial operations - not just water sports - no longer legal in city parks & recreational facilities without having permits - even though most businesses cannot apply for them because they don't exist.

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However, what I have not shared with you is the impact this bill if passed will have on my husband and me.

Here's the back story: After several years of being semi-serious astronomers, my husband and I established *A GUIDED TOUR OF THE GALAXY* in 1992. It focused on making Hawai`i's night skies easily accessible both to local folks - especially youngsters - and to visitors. We not only helped them learn about the science but also about astronomy's history as well as Polynesian/Hawaiian culture. We

took people all over O`ahu as well as to Moloka`i, Kaua`i, Lana`i, Maui, and Hawai`i Island.

We paid taxes, got permits, hired professionals, and actually made a profit over the years. About 95% of the time, we used state or county lands to set up our telescopes.

However, as the *Windward Ahupua`a Alliance* became more involved in public policy issues and community outreach projects, we realized that we could not handle both entities. We stopped our **GUIDED TOUR** advertising in mid-2003 and turned over educational requests for astronomy programs to another organization in early 2004.

We still continued our personal sky-watching so, in August, 2011, we took a group of friends and colleagues for a hike up *Makapu`u* to see the full moon rising over Moloka`i. We talked about a lot of astronomical and cultural things that night.

Several people at that event asked us to hold it again which we've done three times since. However, because of the somewhat challenging walk up the hill for some people, we held two of the events at *Kailua Beach Park* and the third one at *Waimanalo Bay Beach Park (Sherwoods)*.

Although we didn't charge attendees for these events, what we did do was to talk to several people about bringing *A GUIDED TOUR OF THE GALAXY* back to life. And that would entail charging people a small fee for the event.

What **Bill 11 CD1**, along with **Bill 5/Ordinance 12- 02**, does is make it impossible for us to set up the business again.

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There are at least six Kailua -based businesses who employ dozens of employees which will be directly impacted by overriding the veto plus at least 20 other businesses (food service, retailers) will also share the fall-out. Moving down the road to the next **Zipcode** is simply not financially feasible plus these other communities have already begun to express their concerns. The general response from officials has been to get a similar law passed for their areas.

In closing, I urge you to support **Mayor** Carlisle's veto and to set up a working group to establish a permitting process which will address the legitimate concerns of residents who may be impacted by commercial activities. .

Mahalo for taking my arguments into consideration with respect to your vote. If you need to speak to me directly, please call me on my cell phone at 808/224-4496

Shannon

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